

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla,
Rio Brazos, Rutheron & Plaza Blanca,
Cañones Creek, Village of Chama

MOTION FOR DEFAULT JUDGMENT

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendants:

David Maestas	CHRB-006-0027
Luis Lopez	CHCV-002-0039D
Maximiliano Rivas	CHCV-002-0039C
Ronald B. Rodela	CHRB-005-0007A

and as grounds therefore plaintiff states:

1. Defendants David Maestas, Luis Lopez and Maximiliano Rivas are in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed November 26, 2007 (Doc. No. 9021).

2. Defendant Ronald B. Rodela is in default for failure to appear, answer, or otherwise defend in this cause as shown by the Clerk's Certificate of Default filed July 3, 2006 (Doc. No. 8305).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting

default judgment against the above-named defendants incorporating the terms of the State's proposed consent orders and in conformance with the Office of the State Engineer Hydrographic Surveys for Section 7 of the Rio Chama Stream, as amended.

DATED: December 4, 2007

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of December, 2007 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM-ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

David Maestas
P.O. Box 224
Tierra Amarilla, NM 87575

Luis Lopez
P.O. Box 182
Chama, NM 87520

Maxililiano Rivas
P.O. Box 634
Chama, NM 87520

Ronald B. Rodela
P.O. Box 437
Chimayo, NM 87522

/s/ Ed Newville
EDWARD G. NEWVILLE